

1 Chief Judge Marsha J. Pechman
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

10 UNITED STATES OF AMERICA,) NO. CR06-157MJP
11)
12 Plaintiff,) PLEADING FOR STATUS
13) HEARING SCHEDULED
14) FOR JANUARY 19, 2012
15 HENRY ROSENAU,)
16 Defendant.)

16 COMES NOW the United States of America, by and through Jenny A. Durkan,
17 United States Attorney for the Western District of Washington, and Marc A. Perez and Susan
18 M. Roe, Assistant United States Attorneys for said District, and files this short pleading to
19 assist the Court at the Status Hearing scheduled for January 19, 2012. This status hearing
20 was set in November, 2011, when the trial in the above-entitled matter was continued until
21 March 19, 2012 following the government's Motion for a Trial Continuance based on the
22 unavailability of several essential witnesses who reside in Canada. This is intended to inform
23 the Court of the status of the preparation and progress of the Mutual Legal Assistance Treaty
24 necessary to obtain the essential testimony.

25 The MLAT was written and submitted to the Office of International Affairs,
26 Department of Justice, and has been reviewed and revised several times in accordance with
27 OAI forms and their experience with the Canadian Government. The current MLAT requests
28 the testimony of 20 Canadians, most of whom appear likely to be granted permission to

1 appear at trial to testify. A few of the requested witnesses may only be available by
2 deposition but that number is still unclear. The MLAT also asks for various business and
3 government records.

4 On January 17, 2012, in response to an inquiry from this office, OIA reported that the
5 MLAT appeared complete for the final two signatures from DOJ. The signatories are out of
6 the office this week but both should be available next week. The OIA attorney has also
7 reported that Ottawa is aware of this pending MLAT.

8 At this date, the government believes the process is moving forward in a timely
9 manner and that the trial may commence as presently scheduled.

10 DATED this 18th day of January, 2012.

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12 Respectfully submitted,

13 JENNY A. DURKAN
14 United States Attorney
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